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6 Proposed Attorneys for Chapter 11 Debtor and Debtor in Possession  
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8 **UNITED STATES BANKRUPTCY COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 In re: ) Case No. 15-31480  
12 )  
13 MAGNOLIA BREWING COMPANY, ) Chapter 11 Case  
14 LLC, also doing business as McLean )  
Breweries, ) **DEBTOR'S APPLICATION TO**  
 ) **DESIGNATE RESPONSIBLE**  
15 Debtor and Debtor in Possession. ) **INDIVIDUAL PURSUANT TO LOCAL**  
 ) **BANKRUPTCY RULE 4002-1**  
16 )  
17 ) [Local Bankruptcy Rule 4002-1]  
18 ) [No Hearing Required]  
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1 Magnolia Brewing Company, LLC (also doing business as McLean Breweries), the  
2 chapter 11 debtor and debtor in possession in the above-captioned bankruptcy case (the  
3 “Debtor”), hereby submits its “*Application To Designate Responsible Individual*” (the  
4 “Application”) and represents as follows:

5  
6 1. The Debtor filed a voluntary petition under Chapter 11 of 11 U.S.C. §§ 101 *et seq.*  
7 (the “Bankruptcy Code”) on November 30, 2015 (the “Petition Date”). The Debtor continues to  
8 operate its business, manage its financial affairs and administer its bankruptcy estate as a debtor-  
9 in-possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code.

10 2. John Appel is the Debtor’s designated responsible party in the Debtor’s  
11 Resolutions Authorizing Filing of Chapter 11 Bankruptcy Case and Related Matters, which was  
12 filed with the Debtor’s bankruptcy petition. Mr. Appel is knowledgeable about the Debtor’s  
13 business and financial affairs and is familiar with the Debtor’s creditors.

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15 3. Pursuant to Bankruptcy Local Rule 4002-1, the Debtor is required to file an  
16 application and proposed order appointing a natural person to be responsible for the duties and  
17 obligations of the Debtor.

18 4. The Debtor believes that it would be appropriate and in the best interests of the  
19 Debtor’s estate to designate Mr. Appel as the Debtor’s responsible individual given his position,  
20 knowledge, and skill.

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22 5. Mr. Appel’s contact information is as follows:

23 John Appel  
24 Magnolia Brewing Company, LLC  
25 1398 Haight Street  
26 San Francisco, CA 94117  
27 Tel: 917-697-5118  
28 Email: john@magnoliabrewing.com

1           WHEREFORE, the Debtor respectfully requests that the Court (a) grant the Application;  
2 (b) enter the proposed order submitted concurrently herewith designating John Appel as the  
3 Debtor's responsible individual; and (c) grant such other and further relief as the Court deems just  
4 and proper.  
5

6 Dated: November 30, 2015

MAGNOLIA BREWING COMPANY, LLC

7 By: /s/ Ron Bender  
8       RON BENDER  
9       JOHN-PATRICK M. FRITZ  
10      LEVENE, NEALE, BENDER, YOO  
11      & BRILL L.L.P.  
12      Proposed Attorneys for Chapter 11 Debtor  
13      and Debtor in Possession  
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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

10250 Constellation Blvd., Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*): **DEBTOR'S APPLICATION TO DESIGNATE RESPONSIBLE INDIVIDUAL PURSUANT TO LOCAL BANKRUPTCY RULE 4002-1** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) February 28, 2014, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

### **2. SERVED BY UNITED STATES MAIL:**

On November 30, 2015, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

### **3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL**

(*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on November 30, 2015, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 30, 2015	Jason Klassi	/s/ Jason Klassi
<i>Date</i>	<i>Printed Name</i>	<i>Signature</i>

1  
2 **15-31480 Notice will be electronically mailed to:**

3 Ron Bender on behalf of Debtor Magnolia Brewing Company, LLC  
4 rb@lnbyb.com

5 Office of the U.S. Trustee / SF  
6 USTPRegion17.SF.ECF@usdoj.gov, ltroxas@hotmail.com  
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